

REMARKS

Claims 1, 3-10, 12-16, 18-21 and 23-28 are pending in the application. Claim 24 has been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims have been rejected on the ground of nonstatutory obvious-type double patenting as being unpatentable over claims 1-2, 7-10, 14-16, 21-22, 24-25 and 28-29 of U.S. Patent No. 7,093,033 in view of Kahn et al. (U.S. Patent No. 6,636,909). Of the Claims, Claims 1, 9, 15, and 20 are independent. Claims have been amended to clarify the Applicant's invention. The application as amended and argued herein, is believed to overcome the rejections.

Regarding Rejections under 35 U.S.C. § 112, second paragraph

Claim 24 has been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In response Claim 24 has been amended to recite "a selected storage protocol", that is, the claimed limitation assumed by the Examiner. Removal of the rejection under 35 U.S.C. § 112, second paragraph and acceptance of claim 24 is respectfully requested.

Regarding Rejections on the ground of nonstatutory obvious-type double patenting

Claims 1, 3-10, 12-16, 18-21 and 23-28 have been rejected on the ground of nonstatutory obvious-type double patenting as being unpatentable over claims 1-2, 7-10, 14-16, 21-22, 24-25 and 28-29 of U.S. Patent No. 7,093,033 in view of Kahn et al. (U.S. Patent No. 6,636,909).

Applicant is filing herewith a Terminal Disclaimer in compliance with 37 CFR 1.321 (c) to overcome the rejection based on a nonstatutory double patenting rejection over claims 1-2, 7-10, 14-16, 21-22, 24-25 and 28-29 of U.S. Patent No. 7,093,033.

Removal of the rejections under 35 U.S.C. § 103(a) and acceptance of claims 1, 3-10, 12-16, 18-21 and 23-29 is respectfully requested.

CONCLUSION

In view of the foregoing, it is submitted that all claims (Claims 1, 3-10, 12-16, 18-21 and 23-29) are in condition of allowance. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the above-referenced application.

Please charge any shortages and credit any overcharges to Deposit Account Number 50-0221.

Respectfully submitted,

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